

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JU LI,

Petitioner

v.

CRAIG A. LOWE, *et al.*,

Respondents

**:
: Civ. No. 1:16-cv-0067
:
:
: Judge Rambo
:
: Magistrate Judge Schwab
:**

MEMORANDUM

Before the court is a report and recommendation in which the magistrate judge recommends that Petitioner Ju Li's petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2241 be dismissed as moot. No objections have been filed by any party. For the reasons that follow, the report and recommendation will be adopted.

I. Background

Li, a native of China, illegally entered the United States on or about February, 2014. Immigration and Customs Enforcement ("ICE") took custody of Li and transferred him to York County Prison in York, Pennsylvania. On August 26, 2014, an immigration judge ordered Li's removal but granted him voluntary departure. However, Li was unable to obtain the necessary documents to effect voluntary departure. Li alleges that he has remained in ICE custody for over sixteen months and seeks habeas relief.

In response to Li's petition, ICE claims that Li was released and removed from the United States, and therefore, the case should be dismissed as moot.

II. Discussion

In essence, Li has secured the relief he requested and his petition no longer presents a case or controversy. *Mwigamani v. Holder*, 2015 WL 9008577, at *1 (M.D. Pa. 2015). Accordingly, this court agrees with the recommendation of the magistrate judge and will adopt the report and recommendation.

s/Sylvia H. Rambo

SYLVIA H. RAMBO

United States District Judge

Dated: May 19, 2016